

Remarks

By This paper applicants reopen prosecution, reply to the Office Action of January 18, 2008, and respectfully request reconsideration of the application. Claims 28-46 are now pending and claims 1-27 have been cancelled. Claim 28 is independent.

Applicants believe that the claims now pending properly clarify the issues raised during appeal to render the rejection over Shepherd '479 in view of Shepherd '720 moot.

Applicant hereby requests that the Examiner re-visit any previous surrender, disclaimer or characterization of claims, and re-visit any prior art that may have been avoided or intended to be avoided by such surrender, disclaimer or characterization. In addition, a new search is requested.

Applicants hereby rescind and no longer intend that the claims be limited by any assertion, statement, argument, amendment or other action in this patent application, or any application whose file history is available for use in interpreting any patent issuing on this application that might be taken to be a surrender or disclaimer of any subject matter from the scope of any claim. No such assertion, statement, argument, amendment or other action in this application or in any such available application should be taken as a surrender or disclaimer from, and may not be used to interpret, any claim of this patent, or any claim of any patent to which such applications' file histories may be pertinent.

Authorization for Email Communication

Recognizing that Internet communications are not secure, Applicant hereby authorizes the USPTO to communicate with any authorized representative concerning any subject matter of this application by electronic mail. Applicant understands that a copy of these communications will be made of record in the application file.

Conclusion

Applicants request that the application be passed to issue in due course. The Examiner is urged to contact Applicants' undersigned representative if it will advance the prosecution of this application, or with any suggestion to resolve any condition that would impede allowance. In the event that any extension of time is required, Applicants petition for any extension of time required to make this response timely and otherwise not present. Kindly charge any additional fee, or credit any surplus due for any reason, to Deposit Account No. 50-3938, Order No. 01-1030.

April 20, 2010

Date

Respectfully submitted,

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